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Attorney Docket No.: 6136.200-US

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Jørgensen et al.

Confirmation No: To be assigned

Serial No.: 09/675,950

Group Art Unit: 1651

Filed: September 29, 2000

Examiner: Witz, Jean C.

For: Spray Dried Enzyme Product

## RESPONSE UNDER 37 C.F.R. 1.111

Commissioner for Patents  
Washington, DC 20231

Sir:

This is in response to the Office Action mailed July 3, 2002.

## REMARKS

Claims 1-8, 11-15 and 17-28 are pending.

It is respectfully submitted that the present response presents no new issues or new matter and places this case in condition for allowance. Reconsideration of the application in view of the following remarks is requested.

I. **The Rejection of Claims 1-8, 11, 14-15 and 17-28 under 35 U.S.C. 103(a)**

Claims 1-8, 11, 14-15 and 17-28 are rejected under 35 U.S.C. 103(a) as obvious over Liddel et al. in view of Neubeck. This rejection is respectfully traversed.

As acknowledged by the Examiner, Liddel et al. does not disclose a process of preparing an enzyme containing particle by spray drying a fermentation broth starting material comprising an enzyme and a biomass. Rather, Liddel et al. discloses spray drying whole microorganisms for the purpose of preserving enzymes contained within the cells.

Neuback, on the other, does not provide the motivation missing from Liddel et al. Indeed, contrary to the basis provided for the obviousness rejection, Neuback clearly does not disclose spray drying a fermentation broth after culture of a microorganism, rather, Neuback discloses that, prior to spray-drying the enzyme composition, the enzyme is purified or concentrated by an ultrafiltration process, so as to remove, low molecular sugars, amino acids and peptides. See Neuback col. 1, line 54 to col. 2, line 12 and col. 2, lines 40-51. Thus, Neuback does not suggest